

EIGHT MEN ON TRIAL.

Three Plead Guilty and Five are Entered "Not Guilty."

Counsel for Prisoners Enter Objection to Jurisdiction.

Long before 10 o'clock this morning Merchant and Richards streets were lined with people eager to have a glimpse of the prisoners on their way to the Court martial. It was not until after 10 o'clock that the military under Lieutenant King went to the Police Station to escort the rebels to the Executive building. At 10:20 o'clock Robert W. Wilcox, H. F. Bertelmann, Sam Nowlein, W. C. Lane, J. Lane, W. H. C. Greig, Carl Widemann and Louis Marshall entered the Court room where the Military Commission had convened to try them. The room was pretty well filled.

U. S. Minister Willis, British Commissioner Hawes, Portuguese Charge d'Affaires Canavarro and U. S. Consul General Ellis Mills were present, as well as Ministers King, Damon and Smith.

W. A. Kinney, Judge Advocate, read the minutes of the first day's session. After a slight correction by Judge Whiting the minutes were ordered to stand approved.

Mr. Kinney stated for the benefit of the Commission that prisoners had secured counsel and requested that the same be recorded.

Paul Neumann noted his appearance for R. W. Wilcox, W. H. C. Greig, Carl Widemann, Louis Marshall and, with Antonio Rosa, for James Lane and W. C. Lane. Mr. Neumann then entered a formal objection to the jurisdiction of the Military Commission. He further requested that his objection be placed on record.

Antonio Rosa added that he had been requested by Mrs. Nowlein to appear for S. Nowlein, but had not had an opportunity to see him, although he had often requested the authorities for such.

Mr. Kinney then asked Nowlein whether he had a desire that Rosa appear for him.

Nowlein—No, sir.

Neumann stated that the prisoners for whom he appeared had no objection to the personnel of the commission.

A. A. Wilder was then sworn as Court reporter.

The Judge Advocate then swore the members of the Commission, and was in turn sworn himself by Judge Whiting.

The Judge Advocate then read the charge and specifications preferred by John H. Soper, Commanding the National Guard of Hawaii.

The charge is treason by procuring, abetting and engaging in open rebellion against the Republic of Hawaii. The specifications are that R. W. Wilcox and the seven other prisoners have at divers times during the past six months made preparations for engaging in open rebellion and during one month last past engaged in open war for the overthrow of the Republic of Hawaii.

The Judge Advocate asked R. W. Wilcox whether he pleaded guilty to either specifications or charge.

Wilcox pleaded guilty to both specifications and charge.

Sam Nowlein pleaded guilty to both specifications and charge.

H. F. Bertelmann pleaded guilty to both specifications and charge.

Carl Widemann declined to plead to either specifications or charge as read by the Judge Advocate by advice of his counsel. A plea of not guilty was entered.

W. H. C. Greig entered no plea under advice of counsel. Plea of not guilty entered.

W. C. and James Lane refused to plead, as also did Louis Marshall.

Paul Neumann and Antonio Rosa entered a written objection to the jurisdiction of the Commission to the Judge Advocate, who read the same, on the ground that no law in the Hawaiian Islands is in vogue authorizing a Military Commission, also that the courts of the Hawaiian Islands are ready to do ordinary business.

Mr. Neumann argued in favor of his objection. He stated that the crime for which the prisoners were on trial was committed, if committed at all, not against any members of the Military Commission, but against the Republic of Hawaii. The Republic has a Constitution and the prisoners are entitled to a trial by the authorities under the Constitution. The prisoners are accused of a statutory crime and should be tried by a regular court. According to the proclamation of martial law the land are still alive and ready to do business.

Mr. Kinney held that martial law is a law of necessity, and the exercise of that discretion lies with the Executive. The Judge Advocate refused to argue the question whether the proclamation of martial law was discreet or otherwise, as all who have been aware of the events since the night of the 6th well knew whether it was or not.

The Commission, with the exception of the Judge Advocate, retired for consultation. On returning Judge Whiting declared that the tribunal had jurisdiction to try the prisoners and overruled the objection.

The announcement was met with stamping of feet, which was immediately suppressed.

Mr. Kinney then asked the opinion of the Commission as to the disposition of the prisoners, whether to deal with those who have already pleaded guilty or to go on with the trial of those who have pleaded not guilty.

Mr. Neumann proffered that the trial of those who have pleaded not guilty go on.

Judge Whiting stated that it was the opinion of the Commission that the prisoners be tried together.

Judge Whiting wished to announce that during the trial no evidence of approbation or disapprobation would be tolerated. If there was any evidence of such the room would be cleared and the trial go on without any spectators being present. He hoped the warning would be sufficient.

The Court adjourned at 11:50 to 1:30 o'clock.

Afternoon Session.

The court martial convened at 1:30 o'clock.

Deputy Marshal Brown was the first witness. Sworn, states: Am deputy marshal; was sent by Marshal Hitchcock with warrant to search Bertelmann's house; Captain Parker and five native officers accompanied; saw a number of natives near Bertelmann's place; witness then returned leaving Captain Parker near the place; on returning later met officers returning from the Bertelmann premises; they said that one officer had been shot; J. B. Castle, C. L. Carter, Alf. Carter and Jack Atkinson were with witness; the company returned to the premises and were challenged by a native; they answered and walked down the path and found Bertelmann sitting on the veranda with a woman; witness asked Bertelmann whether he wanted search warrant read; he said yes and went into dining room, when firing was heard outside; witness asked what the meaning of the firing was; Bertelmann said he did not know; presently Captain Parker entered with two prisoners, W. C. and James Lane with rifles and belts of cartridges; when witness saw C. L. Carter, he had wound in his breast and was groaning; when Carter was taken by witness and J. B. Castle into the house heavy firing continued from the outside, several shots coming from the town side and others from the Diamond Head side; hearing shouting and a rush of natives with Captain Parker and officers retreated to the room where the four prisoners, the Lane boys, Bertelmann and a native, were; witness went to Nolte's and telephoned for assistance; returning witness found the military under Lieut. King in possession of the premises.

A diagram of the Bertelmann premises was exhibited.

To Counsel Rosa—Body of Carter was found on the Waikiki side of the entrance; have since examined the premises; was in the dining room when the two Lanes were brought in; fusillade first occurred while the warrant was being read in the dining room; it was resumed in a few minutes; the first firing was from the direction of the boat shed; Jack Atkinson did not enter the Bertelmann premises, having been left on the way to take a message; the firing of the first fusillade was confined to the boat shed; the second came from the beach and in the vicinity of the boat shed; the firing lasted about four or five minutes when witness left.

Senior Captain Parker, sworn, states: Arrested W. C. and James Lane makai of the Bertelmann house (points out place on the diagram); they had two guns and James had a pistol; there had been one shot fired from each gun; there were seven shots left in each rifle; arrested the two Lanes not more than a minute after the second firing; the first firing was in front of Bertelmann's house, when Holi was hit; Deputy Marshal Brown had returned to report to the Marshal; during the second firing Carter was wounded and died later.

Cross-examination: Witness examined the rifles when the Lanes were captured and found one empty shell in each gun; guns were magazine rifles; Carter was about 30 or 40 feet from witness when he was shot; the volley which struck Carter was fired by a party in the boatshed; there were three persons, including the two Lanes in the boatshed; there were two flashes in front of these two men, and witness caught them about fifteen seconds later; know that these men fired the volley because they were the only persons there; the two first shots fired struck Carter; between Lane and 100 shots were fired; saw only a long-haired man on the first visit; after the Lanes were captured and taken into the house witness heard natives outside crying out to surround the house.

This afternoon the Judge Advocate introduced evidence to show that neither of the Lanes fired the shot that killed C. L. Carter.

The Court-martial adjourned 4 o'clock this afternoon till 10 o'clock to-morrow morning. Beginning with to-morrow night sessions will be held.

Tom Poole Shot G. L. Carter.

Two witnesses were introduced this afternoon who testified that Thomas Poole told them that he had shot a white man at the entrance to the boat shed.

The place where Chas. Carter was found was where Poole said the man fell when he shot the white man.

Chamberlain's Cough Remedy is famous for its cures of bad colds. It opens the secretions, relieves the lungs and aids nature in restoring the system to a healthy condition. If freely used as soon as the cold has become settled in the system, it greatly lessens the severity of the attack and has often cured in a single day what would have been a severe cold. For sale by all dealers. Benson, Smith & Co., Agents for Hawaiian Islands.

The quality of Cuban tobacco is so fine that Mulhall sells it at prices varying from £200 to £800 a ton.

SURRENDER OF LOT LANE.

The Reputed Desperado Gives Himself Up Like a Lamb.

The last of the Lanes who took up arms against the Government came in quietly last night. Like that of all the other reputedly doughty warriors, his surrender smashed all surmise to pieces. As was said of Wilcox and Nowlein, that they would die before falling into the hands of the Government, so the talk ran about Lot Lane, only more of it. He was supposed to have a small but desperate band with him, who would make a fight like that of Koolau, the lone leper of Kailua.

Lot Lane came in meek as a mouse and surprised the authorities. He came with borrowed clothes on him, completely crushed in spirit, and told all about his connection with the uprising and the downfall. After dark he knuckled timidly at the door of Giovanni Long in Manoa valley, and being admitted asked for food. Mrs. Long is his niece and he was treated well, but was told that the house could not harbor a rebel. Lane only wanted to rest a brief space and then he would surrender himself to the authorities. He was given clothes to replace his garments torn to rags in the thorny thickets, and he was given the luxury of a clean shave.

Haula, foster grandfather of Long, harnessed a horse to a wagon and, in company with A. A. Montano, the collector of taxes, and Long, drove Lane to the police station where he was caged for an hour with the Attorney General and the Marshal. Although looking weary he was a slight gleam of satisfaction in his face, as if glad inwardly that the whole foolish business was over.

Lane had been in the mountains until last Monday. The previous Tuesday there had been a stampede of the rebels, and it became a case of everyone for himself and devil take the hindmost. Lane disclaimed the honor of having been a leader. He said Nowlein started the movement and induced Wilcox to go into it and rally the natives. They hardly knew for what they were fighting. Lane early threw his gun away because it impeded him in climbing the hills.

Coney, a young half-caste reporter of the Advertiser, made a tenstrike scoop in connection with Lane's surrender. He was spending the evening at Mr. Montano's and while he was playing the zither on the veranda, word came that Lane was with Long. Coney went straight for the rebel and got a good interview for his paper with him.

Mr. Montano had instructed Mr. Long that if Lot Lane came to his house he was to notify Montano, who is a special officer, immediately.

When Long came to him with the information that Lane was there, Montano had gone to bed to take needed rest after hard service. Haula was well aware of the danger of harboring a rebel, and did all he could to expedite Lane's delivery up to the Marshal. Mrs. Patrick Lane was at the Long homestead when her brother-in-law came there.

The secret of Lane's surrender was well kept by Mr. Montano all the way to the station. Geo. H. Davis, who had been relieved from guard duty, asked for a ride into town in the wagon. His request was granted and, after being seated, he spoke about Lane, saying he hoped he would soon be captured so that the trouble would be over. He did not know that Lane was riding into town in the same vehicle with himself.

When challenged by the sentries the reply of Montano was invariably, "Special Officer Montano and friends." However, Lane, through the receiving station and up to the Marshal's office without revealing the identity of his prisoner.

Arriving in the presence of the Marshal, Mr. Montano fairly paralyzed everybody present with the speech, "Mr. Marshal, allow me to present to you Lot Lane, a prisoner of war."

SWORN ALLEGIANCE.

Taken the Oath Since the Beginning of the Trouble.

Since the outbreak of the insurrection the following persons have taken the oath of allegiance to the Republic of Hawaii at the Clerk's office of the Judiciary Department: Clarence L. Crabbs, Hawaiian, formerly Port Surveyor of Honolulu;

Robert H. Baker, Hawaiian, formerly Major on King Kalakaua's staff and Governor of Maui;

A. B. Naone, Hawaiian;

Geo. H. Angus, Nova Scotian;

Shuzabro R. Shioji, Japanese;

Arthur K. Ozawa, Hawaiian born of Japanese parents;

P. A. Becker, U. S. citizen born in Germany;

Charles Lehmann, German;

J. W. Luning, British;

Arch. Sinclair, British, formerly acquitted of conspiracy against the Provisional Government;

James Cowan, engineer, British;

August Becker, German;

Carl Gadlike, German.

Resolution of Sympathy.

The Hilo Bar Association has passed the following resolution on the death of C. L. Carter:

Resolved, That we, the members of the Hilo bar, in hearing of the untimely and violent death of Charles L. Carter, our brother, at the hands of a rebel assassin, here, with express our great grief thereat;

That we only knew our brother as a gentleman, and a true patriot, ever in the front ranks when duty of his country called, and we feel that the country has lost one of its noblest sons in the defense of the principles of liberty;

That we tender to his widowed wife, his mother and other relatives our sincerest sympathy in their great loss, and that we show our respect to our deceased brother by wearing the usual badge of mourning for thirty days;

That a copy of these resolutions be published in the Honolulu papers, and also sent to his wife.

Mrs. W. L. Moore, Secretary Hilo Bar Association.

The Penalties.

According to Act 3 of the Provisional Government the punishment for treason is death or imprisonment for a term not less than five years and a fine of five thousand dollars, which fine shall be levied on and collected out of any or all of his property, real and personal.

Any person concealing knowledge of the levying of war against the Government is guilty of misprision of treason, for which the penalty is imprisonment not more than five years and fine not more than \$5000.

For conspiracy the penalty is a fine of not less than \$500 and not more than \$5000, or by imprisonment not less than six months nor more than six years, or both fine and imprisonment.

Has Been on Duty.

Sergeant J. L. Osmer, who is on duty with his company, A, at the Judiciary building, is indignant at having been represented as a deserter.

He was on duty with the police at Kakaako when an assembly of natives was suppressed the Thursday night before the outbreak. When the disturbance started at Waikiki, Osmer went there on police duty and fulfilled it. Then, in obedience to the instructions of the Marshal—for police officers belonging to military companies to report thereto—he joined his company and has had only three hours of liberty since.

The Lane Family.

There are four of the Lane family in custody—three brothers and a son of one of them, Patrick. The father and two sisters of the elder prisoners watched the march to the court-martial this morning.

Mr. Lane, the patriarch of the family, was once a member of the Legislature. He is a foreigner who married a native woman and raised a family, the several sons of which are men so stalwart as to attract attention in any crowd.

Search of Houses.

The Citizens' Guard searched the house of Captain John Ross for arms yesterday. A sword, a dagger and other insignificant war truck were found.

A search was made of Mrs. Macfarlane's house this morning. Nothing but a few stray cartridges and a parlor rifle was found, and the searchers did not think it worth while to take the rifle.

Arrests.

C. H. Ulukou is in for treason. Li Young is held for investigation. He is the first Chinaman arrested on account of the insurrection.

Jack Namsidua and Kaina were arrested for conspiracy this afternoon.

Various Items.

"No passes will be needed hereafter by passengers for the other islands. That is the answer given all who enquire for passes at the Marshal's office. Passes will be required only by those visiting ships in the stream."

John Silva, a follower of Lot Lane, was brought in by Special Weirick yesterday evening.

Deputy Attorney-General Robertson brought in Hakuale at 3 o'clock this morning. He is held for investigation.

Judge Widemann was down town this morning and visited the station.

More arrests are to be made before martial law is raised.

Theresa and baby Garibaldi were admitted to the station yard this morning to see Wilcox.

Minister Willis of the United States was at the station before the prisoners were sent up to the court-martial this morning.

The government offices have reopened and are doing business. The clerks and heads of bureaus will be kept very busy during the next few days.

Lot Lane wears a No. 12 shoe and, although the different stores in town were visited, none of that number could be got anywhere. A small shoe had to be cut to go on Lot's foot.

Judge Whiting on the 16th inst. resigned the office of First Judge of the First Circuit Court. It is believed he only lays the office down temporarily to enable him to preside over the Military Commission. Schools will re-open on Monday.

Arms and ammunition were sent by the Kinai for the Citizens' Guard on Hawaii and Maui.

It was only parlor rifles that were seized at the house of C. T. Gulick on being searched.

The store of the California Wine Co. was searched this afternoon without finding any war material. A search of Sans Souci is being made. Geo. Lyeurgus is interested in both places.

Charles Peterson, keeper of the Diamond Head signal station, was examined by the Marshal to-day regarding the capture of the station by the rebels.

PIONEER

Building and Loan Association.

THE POSTPONED MONTHLY MEETING will be held at the Chamber of Commerce on MONDAY EVENING, Jan. 21, 1895, at 6:30 o'clock.

Consolidated Soda Water Co., Ltd.

ESPLANADE:

HOLLISTER & CO.

FOR SALE CHEAP

A SURELY IN VERY

W. W. WRIGHT.

Daily Bulletin 50 cents per month.

MARINE NEWS

Arrivals. FRIDAY, JAN. 18. Steamer Mikahala from Kauai.

Departures. FRIDAY, JAN. 18. Steamer Kinna for Maui and Hawaii at 2 p.m. Steamer Mikahala for Kauai at 5 p.m.

Passengers. ARRIVALS. From Kauai, per steamer Mikahala, Jan. 18—Miss Mary Green, Mrs. Penning, Robt. O'Connell, Mrs. E. M. Jackson, Mrs. O'Connell, C. W. O'Neil, S. C. V. Turner, E. Hough, Mrs. J. F. Brown, J. F. Brown, F. Dutton, Mrs. J. Neil, E. Hutton, Mrs. F. H. Boardman, Miss E. Johnson.

DEPARTURES. For Kauai, per steamer Mikahala, Jan. 18—W. H. Rice, Jr.

For Maui and Hawaii, per steamer Kinna, Jan. 18—Miss Mary Green, Mrs. Penning, Robt. O'Connell, Mrs. E. M. Jackson, Mrs. O'Connell, C. W. O'Neil, S. C. V. Turner, E. Hough, Mrs. J. F. Brown, J. F. Brown, F. Dutton, Mrs. J. Neil, E. Hutton, Mrs. F. H. Boardman, Miss E. Johnson.

Born. KAMAKAUHAKA—In this city, January 17, 1895, to the wife of D. K. Kamakauhaka a son.



Mr. Seward Toplin, North Velez, N.Y.

System Broken Down Distress—Pains in the Back

New Life and Strength Given by Hood's Sarsaparilla.

"C. L. Hood & Co., Lowell, Mass. 'Dear Sirs: I do not think there is any other medicine on the market so good as Hood's Sarsaparilla. I have taken only three bottles and am now in better health than for three years."

My System Was Broken Down so that my friends remarked upon my falling away. I could not keep anything on my stomach and I suffered terrible distress, especially in the left side. I had a severe pain in my back all the time so that I could not work."

Hood's Sarsaparilla Cures Before I had taken one bottle of Hood's Sarsaparilla the pain in my back was gone, the first time for two years. I can eat anything and keep it on my stomach without distress afterwards. The trouble with my back is over and I can work all day."

as years ago. When people remark upon the change in my looks I tell them Hood's Sarsaparilla. I have taken only three bottles and am now in better health than for three years."

Hood's Pills act easily, yet promptly and gently, on the liver and bowels. Etc.

Hobron Drug Co., Ltd., Sole Agents for the Republic of Hawaii.



It's almost as easy for a horse fed on California Feed Co.'s Hay and Grain to draw his load as it is for this big elephant to draw his. We pay the highest price and get the best there is to be had. Our prices are as low as the lowest. Prompt delivery. Both Telephones 121.

The Best Bicycle is an

1895

"CLEVELAND"

Cleveland Agency, Merchant Street.

H. JAOUEN, PRACTICAL GUN MAKER.

Will do any kind of Repairing to Firearms, also Browning and Buening. Satisfaction guaranteed. Union street, nearly opposite No. 2 F. R. Engine Station.

FOR SALE.

A NEW CREAMER OF THE LATEST model, capacity 50 gallons per hour. Also, a Two Horse Power Gasoline Engine, just the thing for a dairy. Apply to J. GRACE.

1223-m Honolulu Daily.

This Space is Reserved

— FOR —

N. S. SACHS,

The Popular Millinery House,

104 Fort St, Honolulu.

Drink Hires' Root Beer!

This delicious temperance drink not only quenches thirst, but promotes and preserves good health. There's no drink in the world like HIRE'S ROOT BEER, in composition, in preparation, or in popularity. Its wonderful success is a matter of history, and can only be explained by the fact that people everywhere recognize and appreciate its health and pleasure-giving qualities. They will not drink the worthless and injurious substitutes.

Ask your storekeeper for it. Made only by The Charles E. Hires Co., Philadelphia, U. S. A.

Testimonials:

"We have used over three dozen bottles of Hires' Root Beer this season, and find it the most delicious and healthful drink in the market.—JAS. F. HAMMER, 1420 2d Ave., Altoona, Pa., U. S. A."

"We have used your Root Beer in our family over three years, winter and summer, and would not do without it. We drink it instead of water.—MISS LUTHER, Cor. 2d and Pine Sts., Camden, N. J., U. S. A."

JOBBERS:

HOBROX DRUG COMPANY..... Wholesale Druggists
BENSON, SMITH & COMPANY..... " "
HOLLISTER DRUG COMPANY, LTD.... " "
LEWIS & COMPANY..... Grocers

PACIFIC GUANO & FERTILIZER CO.

G. N. WILCOX, President.
J. F. BACKFELD, Vice-President.
T. MAY, Auditor.
E. SCHUBERT, Secretary and Treasurer.

OUR NEW WORKS AT KALIHI being completed, we are now ready to furnish all kinds of

ARTIFICIAL FERTILIZERS

— ALSO KEPT CONSTANTLY ON HAND —

Pacific Guano, Potash, Nitrate of Soda, Sulphate of Ammonia, Calcined Fertilizer Salts, Etc., Etc., Etc., Etc.

Special attention given to Analysis of Soils by our Agricultural Chemist. All Goods are guaranteed in every respect.

For further particulars apply to

Pacific Guano & Fertilizer Co., DR. W. AVERDAM, Manager.

Ed. Hoffschlaeger & Co. :-:

"Household" Sewing Machines, Hand Sewing Machines, with all the latest improvements. Westmeyer's Collage Pianos. Parlor Organs, Guitars, and other Instruments.

:-: King and Bethel Streets.